

REMARKS

Specification

The use of the trademark “i2” and “ADEXA” have been noted in this application.

The specification has been amended to clarify the use of these terms as corporate names (not product names). Applicants are unsure whether “i2” is a registered trademark, but Applicants have amended the specification to note the trademark status of ADEXA (also a corporate name).

Present Status of Application

The Examiner is thanked for the thorough examination of the present application and the allowance of claim 8-16 and 33-38, and the indication that claims 2-5, 23-29, and 32 contain allowable subject matter. The Office Action, however, rejected claims 1, 6, 7, 17-23, and 30-32. Several claims have been amended to make cosmetic changes and/or correct certain typographical errors. After entry of the foregoing amendments, claims 1-38 remain pending in the application.

Claims Objections

The Office Action objected to claims 24 and 27 because of certain informalities.

Applicants have amended these claims to address and overcome the stated objections.

Claim Rejections

Claims 17-20, 23, and 32 were rejected under 35 USC §112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention. Applicants have made appropriate amendments to the claims to address and overcome these rejections.

On a substantive basis, the Office Action rejected claims 1, 7, 21, 22, 30, and 31 under 35 USC §102(b) as allegedly anticipated by US Pat 5,233,533 to Edstorm (hereafter Edstorm). The Office Action also rejected claims 1, 6, 7, 21, 22, 31, and 31 under 35 USC §102(b) as allegedly anticipated by US Pat 6,434,443 to Lin (hereafter Lin). For at least the following reasons, Applicants respectfully traverse these rejections and request reconsideration thereof.

First, Applicants note that the present application discloses a computer implemented system for control factor management for work-in-process (WIP) in a production system (*see e.g.*, claim 1 of the present application), comprising a plan engine and a control factor management module. The control factor management module disclosed in the present application adjusts the control factor of the plan engine according to a “current value” of the control factor in the production system, a target value of the control factor, and a priority of the WIP. In rejecting the claims, the Office Action has misinterpreted the “current value” of the present application (*e.g.*, claim 1) as the current date disclosed in Edstorm. The Office Action has also misinterpreted the “target value” of the present claims as the target date disclosed in Edstorm. Here, the current value and target value are calculated values. The dates of Edstorm are not calculated values, and as such are misapplied in the context of the present claims.

Applicants also note that Edstorm provides a scheduling method and apparatus. The technology disclosed in Edstorm is to perform a backward-forward method for scheduling to meet a requested due date. Thus, the factors considered in Edstorm are concerned with or related to due dates, while the factors considered in the present application are compounded.

Thus, the relevant teachings of Edstorm are quite different than those claimed in the present application. As such, Edstorm does not disclose the technology claimed in claims 1, 7, 21, 22, 30, and 31.

With regard to claims 1, 6, 7, 21, 22, 30, and 31, these claims stand rejected under 35 USC §102(b) as allegedly anticipated by Lin. Applicants note that Lin discloses a method for performing dynamic re-scheduling in a fabrication plant. The main technique of Lin is to change the due date of WIP, and the product control uses only the required date. Like the date distinction of Edstorm, the “current value” and “target value” values claimed in claims 1, 6, 7, 21, 22, 30, and 31 are not properly disclosed in Lin.

Additionally, Applicants also note that Lin does not disclose the priority of WIP disclosed and claimed in the present application (e.g., among other limitations, claim 1 defines “*and a priority of the WIP*”). As such, Lin fails to disclose all the limitations claimed in claims 1, 6, 7, 21, 22, 30, and 31, and cannot properly be applied as an anticipatory reference.

None of the cited references, when taken alone or in combination, teaches all of the limitations recited in claims 1, 21, and 30. For at least this reason, these claims are allowable over the cited references. Insofar as claims 2-7, 22-23, and 31-32 depend from claims 1, 21, and 30, these claims are similarly patentable over the cited references.

The present application has also been amended to overcome the rejections of claims 17 and 20. Insofar as claim 15 is allowable, these amended claims 17 and 20, which depend from claim 15, are also allowable. Claims 18 and 19 depend directly or indirectly from claim 17 should be allowable as well.


In view of the foregoing remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of claims 1-7, 17-20, 21-23, 24-29, and 30-32.

CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

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